

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:06CR305 HEA
)	
ALPHONZO GILBERT,)	
)	
Defendant.)	

ORDER FOR MENTAL EXAMINATION

Upon motion of counsel for the defendant alleging that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his own defense,

IT IS HEREBY ORDERED that, pursuant to 18 U.S.C. § 4241. the defendant shall be examined to determine his mental competency.

IT IS FURTHER ORDERED that the United States Marshal for the Eastern District of Missouri shall take the defendant in his custody, and shall arrange to transport the defendant forthwith to a facility designated by the United States Bureau of Prisons, there to be examined as promptly as possible but in no case for a period in excess of thirty (30) days. Upon completion of the examination, the defendant shall be returned to this judicial district by the United States Marshal.

IT IS FURTHER ORDERED that upon completion of the examination, a report shall be prepared and filed with the Court in accordance with the provisions of Section 4247(b) and (c), Title 18, United States Code. The report shall include: 1) the defendant's history and present symptoms; 2) a description of the psychiatric, psychological, and medical tests that were employed and their results; 3) the examiner's findings; and 4) the examiner's opinions as to diagnosis, prognosis, and whether the defendant is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

IT IS FURTHER ORDERED, that while at the designated facility, the defendant shall receive medical and mental health treatment if any such treatment is deemed appropriate by personnel at the facility.

IT IS FURTHER ORDERED, that upon receipt of the mental examination report, the Court shall set the matter for a hearing for the purpose of determining defendant's competency.

IT IS FINALLY ORDERED that, pursuant to 18 U.S.C. § 3161(h)(1)(A), the period of delay necessary to conduct the examination should be excluded from computing the time within which the trial of the offense must commence.

Dated this 1st day of August, 2011.

/s/ Nannette A. Baker
NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE